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OFFICE OF PETITIONS

In re Application of
Hsu et al.
Application No. 10/659,547
Filed: September 9, 2003
Attorney Docket No. SLA 0746

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed April 6, 2006, to revive the above-identified application.

This application became abandoned for failure to reply properly and timely to the final Office Action mailed on July 22, 2005, which set a three (3) month shortened statutory period to reply. Accordingly, this application became abandoned on October 23, 2005. A Notice of Abandonment was mailed on March 9, 2006.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of an RCE and an amendment, paid the requisite fees, and made the proper statement of unintentional delay. The petition under 37 CFR 1.137(b) is **granted**.

The Office notes that the Associate Power of Attorney and change of correspondence address filed on October 4, 2005, was placed in the file but was not made of record because the Associate Power of Attorney practice was eliminated. *See Revised Associate Power of Attorney Practice, 69 FR 29865 (May 6, 2004), 1283 Off. Gaz. 148 (Jun. 22, 2004)*. Accordingly, there is no indication that an appropriate power of attorney was given to Gerald Maliszewski, the practitioner signing the petition, to prosecute the application. If the Mr. Maliszewski desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent and a change of correspondence address must be submitted.

This matter is being referred to Technology Center Art Unit 2822.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

A handwritten signature in black ink, reading "C. T. Donnell". The signature is written in a cursive, flowing style.

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions